

PATENT  
Customer No. 22,852  
Attorney Docket No. 08702.0110-00000

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: )  
)  
Kim *et al.* )  
)  
International (PCT) Application No.: )  
PCT/US03/14609 )  
)  
Filed: May 12, 2003 )  
)  
For: INJECTABLE SOLID )  
HYALURONIC ACID CARRIERS )  
FOR DELIVERY OF )  
OSTEOGENIC PROTEINS )

RECEIVED

23 AUG 2005

Legal Staff  
International Division

Attention: PCT Legal Staff  
Mail Stop PCT  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

**PETITION FOR REVIVAL OF AN APPLICATION FOR PATENT**  
**ABANDONED UNINTENTIONALLY UNDER 37 CFR 1.137(b)**

The above-identified application became abandoned in the United States because the fees and documents required by 35 U.S.C. § 371(c) were not filed prior to the expiration of the time set in 37 C.F.R. 1.495(b). The date of abandonment is November 18, 2004 (i.e., the day after the date on which the 35 U.S.C. § 371(c) requirements were due). The entire delay in filing the required reply from the due date

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for the required reply until the filing of a grantable petition under 37 C.F.R. § 1.137(b) was unintentional.

Applicants hereby petition for revival of this application. Applicants submit the following required papers and fees:

1. petition fee of \$1500.00;
2. Transmittal Concerning a Filing Under 35 U.S.C. § 371 with the appropriate national fee (\$300.00) and filing fees (\$200.00 examination fee; \$500.00 search fee; \$1400.00 excess claims fee);
3. a copy of the international application as filed, including drawings;
4. Preliminary Amendment;
5. a declaration of the inventors, and the \$130.00 fee for late filing of the declaration;
6. Copy of International Search Report; and
7. An assignment of the inventors and assignment recordation fee of \$40.00.

Checks for \$1500.00 and \$2570.00 are enclosed to cover the above fees.

Since this international application has an international filing date on or after June 8, 1995, no terminal disclaimer is required.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements

and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application, any patent issuing thereon, or any patent to which this verified statement is directed.

If there are any other fees due in connection with the filing of this response, including any fees required for an extension of time under 37 CFR § 1.136, such an extension is requested, and the Commissioner is authorized to charge any related fees to Deposit Account No. 06-0916.

Respectfully submitted,

FINNEGAN, HENDERSON, FARABOW,  
GARRETT & DUNNER, L.L.P.

Dated: 2/18/05

By: Elizabeth E. McNamee  
Elizabeth E. McNamee  
Reg. No. 54,696